

ORIGINAL

**FILED**  
SEP 04 2019  
UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

KATHRYN A. COLEMAN (SBN 110937)  
HUGHES HUBBARD & REED LLP  
One Battery Park Plaza  
New York, New York 10004  
Telephone: (212) 837-6000  
Facsimile: (212) 422-4726

*Counsel for Hyundai Corporation USA*

**UNITED STATES BANKRUPTCY COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

In re

PG&E CORPORATION

-and-

PACIFIC GAS & ELECTRIC  
COMPANY,

Debtors.

Bankruptcy Case Nos. 19-30088 (DM) (Lead Case)  
19-30089 (DM)

Chapter 11

(Jointly Administered)

**NOTICE OF CONTINUED PERFECTION,  
MAINTENANCE AND ENFORCEMENT OF  
MECHANICS LIEN CLAIM PURSUANT TO  
11 U.S.C. § 546(b)(2)**

- ☐ Affects PG&E Corporation  
☒ Affects Pacific Gas and Electric  
Company  
☐ Affects both Debtors

\*All papers shall be filed in the Lead  
Case, No. 19-30088 (DM)

PLEASE TAKE NOTICE that Hyundai Corporation USA ("Hyundai") by and through its undersigned counsel, hereby gives notice (the "Notice") of continued perfection of its mechanics lien (the "Mechanics Lien" or the "Lien") under section 546(b)(2) of the United States Bankruptcy Code (the "Code"), as follows:

Hyundai is a corporation that has provided and delivered labor, services, equipment, and materials for the improvement of projects on the real property located in City of Tierra Buena, County of Sutter, California, and more particularly located at Pacific Gas & Electric Company, 2498 Pease Road, Tierra Buena, CA 95993, Parcel ID: 17-230-007 (the "Property"), which is owned or reputed to be owned by Debtor Pacific Gas & Electric Company (the "Debtor"). The delivered labor, services, equipment, and materials were provided to the

1 Debtor pursuant to a contract entered into between Hyundai and the Debtor, effective as of  
2 October 3, 2017 (the "Master Agreement"). Under Purchase Order # 2700018090, Change Order  
3 No. 2700018090, and Supplement to Change Order No. 2700018090, which arises under the  
4 Master Agreement, the Debtor owes \$2,047,676.99, plus interest thereon at the legal rate from  
5 May 15, 2019, related to the gray colored Transformer, serial # US-200510-010-TCT, which  
6 Hyundai manufactured and then installed at the Property.

7 On August 13, 2019, Hyundai properly perfected its Mechanics Lien under  
8 California Civ. Code §§ 8400, et seq. by timely recording its Mechanics Lien in the Official  
9 Records of Sutter County, Document # 2019-0010874, as more fully described in its Mechanics  
10 Lien, a true copy of which is attached hereto as Exhibit A.

11 Pursuant to California Civ. Code § 8460, an action to enforce a lien must be  
12 commenced within 90 days after the recordation of the mechanics lien. However, due to the  
13 automatic stay set forth in section 362 of the Code and effective as of January 29, 2019, Hyundai  
14 is precluded from filing a state court action to enforce its Mechanics Lien.

15 Pursuant to section 546(b)(2) of the Code, Hyundai hereby gives notice in lieu of  
16 the commencement of any such action to perfect, maintain, or continue the perfection of its Lien.  
17 Hyundai is filing and serving this Notice to preserve, perfect and maintain the perfection of its  
18 Lien and its rights in the Property to comply with the requirements set forth in sections 362 and  
19 546 of the Code, California state law, and any other applicable law. By this Notice, the Debtor  
20 and other parties in interest are estopped from claiming that the lawsuit to enforce the Mechanics  
21 Lien was not timely commenced pursuant to applicable state law. Hyundai intends to enforce its  
22 lien rights to the fullest extent permitted by applicable law. The interests perfected, maintained,  
23 or continued by section 546(b)(2) extend in and to the proceeds, products, offspring, rents, or  
24 profits of the Property.

25 The filing of this Notice shall not be construed as an admission that such filing is  
26 required under the Code, the California mechanics lien law, or any other applicable law. In  
27 addition, Hyundai does not make any admission of fact or law, and Hyundai asserts that its Lien  
28

1 is senior to and effective against any entities or persons that may have acquired rights or interests  
2 in the Property previously.

3 Hyundai asserts a secured interest in the Property to the fullest extent allowed by  
4 applicable law, including interest under the legal rate from May 15, 2019. Further, Hyundai  
5 reserves the right to supplement and/or amend this Notice and reserves any and all other rights  
6 under applicable law.

7  
8 Dated: September 4, 2019  
9 New York, New York

**HUGHES HUBBARD & REED LLP**

10 By: /s/ Kathryn A. Coleman  
11 Kathryn A. Coleman

12 One Battery Park Plaza  
13 New York, New York 10004  
14 Telephone: (212) 837-6000  
15 Facsimile: (212) 422-4726  
16 katie.coleman@hugheshubbard.com

17 *Counsel for Hyundai Corporation USA*  
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## EXHIBIT A

**RECORDING REQUESTED BY:**

Mr. Sa Hoon Pack  
Hyundai Corporation USA  
21250 Hawthorne Blvd. #775  
Torrance, CA 90503

**WHEN RECORDED MAIL:**

Hughes Hubbard & Reed LLP  
One Battery Park Plaza  
New York, NY 10004  
Attn: Kathryn A. Coleman, Esq.



**2019-0010874**

Recorded  
Official Records  
County of  
Sutter  
Donna M. Johnston  
Clerk Recorder

REC FEE 31.00  
INVOLUNTARY LI 7.00  
CCL - CONFORME 0.00  
HOUSING FEE 75.00

04:29PM 13-Aug-2019

NJ  
Page 1 of 6

SPACE ABOVE THIS LINE FOR RECORDER USE ONLY

LIEN NOTICE SENT  
GOV. CODE 27297.5

**Claim of Mechanics Lien**

DOCUMENT TITLE

Separate page pursuant to Government Code § 27361.6

**RECORDING REQUESTED BY:**

Mr. Sa Hoon Pack  
 Hyundai Corporation USA  
 21250 Hawthorne Blvd. #775  
 Torrance, CA 90503

**AFTER RECORDING RETURN TO:**

Hughes Hubbard & Reed LLP  
 One Battery Park Plaza  
 New York, NY 10004  
 Attn: Kathryn A. Coleman, Esq.

For Recorder's Use

**CLAIM OF MECHANICS LIEN**  
**(Cal. Civ. Code § 8416, et seq.)**

Hyundai Corporation USA ("Claimant") hereby claims a mechanics lien on the real property in the City of Tierra Buena, County of Sutter, California, and more particularly located at Pacific Gas & Electric Company, 2498 Pease Road, Tierra Buena, CA 95993, Parcel ID 17-230-007 (the "Property"), owned or reputed to be owned by Pacific Gas & Electric Company, for the sum of \$2,047,676.99, plus interest thereon at the legal rate from May 15, 2019, which is due and unpaid (after deducting all just credits and offsets) for labor, services, materials and equipment furnished by Claimant, pursuant to a contract entered into by Claimant and Pacific Gas & Electric Company, effective as of October 3, 2017 (the "Master Agreement"). Under Purchase Order # 2700018090, Change Order No. 2700018090, and Supplement to Change Order No. 2700018090, which arises under the Master Agreement, Claimant is due and unpaid for labor, services, materials and equipment related to the gray colored Transformer, serial # US-200510-010-TCT, located at the Property.

Claimant was contracted to furnish the same by/furnished the same to Pacific Gas & Electric Company under contract with Steve Coleman, Senior Director of Sourcing at Pacific Gas & Electric Company. The name and address of the owner(s) or reputed owners(s) of the real property is/are: Pacific Gas & Electric Company, 77 Beale Street, 32nd Floor, San Francisco, CA 94105.

Dated: August 12, 2019

By: /s/ Sa Hoon Pack  
 Sa Hoon Pack

Hyundai Corporation USA  
 21250 Hawthorne Blvd. #775  
 Torrance, CA 90503  
 Telephone: (424) 254-2390  
 Email: shpack@hyundaicorp.com

**VERIFICATION**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of Los Angeles )

On August 12, 2019 before me, Maria Alejandra Kaiser, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Sa Hoon Park  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Signature [Signature]  
Signature of Notary Public

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: CLAIM OF MECHANICS LIEN  
Document Date: 8/12/2019 Number of Pages: 2  
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: <u>Sa Hoon Park</u>	Signer's Name: _____
<input checked="" type="checkbox"/> Corporate Officer — Title(s) <u>CEO &amp; PRESIDENT</u>	<input type="checkbox"/> Corporate Officer — Title(s): _____
<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General	<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact	<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator	<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
Signer Is Representing: _____	Signer Is Representing: _____

I am the President of Hyundai Corporation USA and the foregoing Claim of Mechanics Lien is true of my own knowledge, except for matters stated in it on the basis of my information or belief, and as to those matters I believe it to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: August 12, 2019

By: /s/ [Signature] Sa Hoon Pack

Hyundai Corporation USA  
21250 Hawthorne Blvd. #775  
Torrance, CA 90503  
Tel: (424) 254-2390  
shpack@hyundaicorp.com

#### NOTICE OF MECHANICS LIEN

##### ATTENTION!

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek a sale of your property in order to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.

**BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT [www.cslb.ca.gov](http://www.cslb.ca.gov).**



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of Los Angeles )

On August 12, 2019 before me, Maria Alejandra Kaiser, Notary Public,  
Date Here Insert Name and Title of the Officer

personally appeared Sa Hoon Park  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: NOTICE OF MECHANICS LIEN

Document Date: 8/12/2019 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Sa Hoon Park

☒ Corporate Officer — Title(s): CEO / President

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**PROOF OF SERVICE**

KATHRYN A. COLEMAN, an attorney, hereby certifies under penalty of perjury that on August 12, 2019, she caused a true and correct copy of Hyundai Corporation USA's CLAIM OF MECHANICS LIEN and NOTICE OF MECHANICS LIEN on Pacific Gas & Electric Company named below by certified mail, return receipt requested, at the address shown below:

Owner: Pacific Gas & Electric Company  
77 Beale Street  
San Francisco, CA 94105

Dated: August 12, 2019  
New York, New York

**HUGHES HUBBARD & REED LLP**

By: /s/ Kathryn A. Coleman  
Kathryn A. Coleman

One Battery Park Plaza  
New York, New York 10004  
Tel: (212) 837-6000  
Fax: (212) 422-4726  
[katie.coleman@hugheshubbard.com](mailto:katie.coleman@hugheshubbard.com)

*Counsel for Hyundai Corporation USA*

**END OF DOCUMENT**